

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

vs.

JERRY LEON MASON,

Defendant.

Case No. CF-2012-4414

Judge Gillert

DISTRICT COURT
FILED

AUG 14 2014

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

APPLICATION FOR POST-CONVICTION RELIEF

The Defendant, Jerry Mason, whom is presently in custody, hereby applies for relief under the Post-Conviction Procedure Act, Section 1080 et seq. of Title 22.

The sentence from which Jerry Mason seeks relief is from the Tulsa County District Court case CF-2012-4414. Mr. Mason was sentenced on May 13, 2014 after entering a plea of Nolo Contendere for:

<u>Crime(s)</u>	<u>Statute(s)</u>	<u>Sentence</u>
Rape – 1 st Degree	21 O.S. § 1115	25 years – 18 DOC/7 suspended
Burglary – 1 st Degree	21 O.S. § 1431	25 years – 18 DOC/7 suspended
Rape – 1 st Degree	21 O.S. § 1115	25 years – 18 DOC/7 suspended
Forcible Sodomy	21 O.S. § 888	25 years – 18 DOC/7 suspended

The sentences were ordered to run concurrently with each other before the presiding Judge Gillert. Mr. Mason was represented by the Tulsa County Public Defender at the time of his plea.

On May 20, 2014, Mr. Mason filed a motion to withdraw his plea. Mr. Mason's family hired counsel (Isaiah Parsons and Matthew Day) and a hearing on the motion to

ORIGINAL



withdraw Mr. Mason's plea was conducted. The court denied Mr. Mason's motion to withdraw his plea on June 12, 2014.

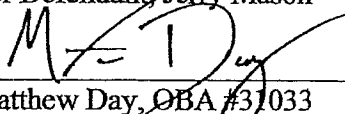
Mr. Mason filed his notice of intent to appeal and designation of record on June 25, 2014. Mr. Mason was given appellate case number C-2014-576. However, the notice of intent to appeal was filed outside of the ten days that Rule 4.2 of the Rules of the Court of Criminal Appeals requires.

Mr. Mason believes that he has a proposition for relief from the conviction and sentence previously described. His proposition is that he was unable to make a decision on whether to appeal in the requisite short amount of time. Mr. Mason was not given adequate time to determine whether to appeal. Mr. Mason's attorney visited him within the ten days required, and Mr. Mason was unable to make up my mind at that time. Mr. Mason ultimately wanted to appeal the case.

Mr. Mason hereby applies to have counsel appointed to represent him. He believes he is entitled to relief. Furthermore, Mr. Mason does not possess any money or property.



Isaiah Parsons, OBA #31181
For Defendant, Jerry Mason



Matthew Day, OBA #31033
For Defendant, Jerry Mason
525 South Main Street, Suite 312
Tulsa, Oklahoma 74103
Telephone: (918) 307-1529